

PATENT COOPERATION TREATY

**PCT**

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference APT 03.02PCT	<b>FOR FURTHER ACTION</b>	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US04/29744	International filing date (day/month/year) 13 September 2004 (13.09.2004)	(Earliest) Priority Date (day/month/year) 12 September 2003 (12.09.2003)
Applicant APPLIED PROCESS TECHNOLOGIES, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 5 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report
  - a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b.  With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.
2.  Certain claims were found unsearchable (See Box No. II)
3.  Unity of invention is lacking (See Box No. III)
4. With regard to the title,
  - the text is approved as submitted by the applicant.
  - the text has been established by this Authority to read as follows:
5. With regard to the abstract,
  - the text is approved as submitted by the applicant.
  - the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
  - a. the figure of the drawings to be published with the abstract is Figure No. 2A
    - as suggested by the applicant.
    - as selected by this Authority, because the applicant failed to suggest a figure.
    - as selected by this Authority, because this figure better characterizes the invention.
  - b.  none of the figures is to be published with the abstract.

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**Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)**

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:

a. type of material

a sequence listing  
 table(s) related to the sequence listing

b. format of material

in written format  
 in computer readable form

c. time of filing/furnishing

contained in the international application as filed  
 filed together with the international application in computer readable form  
 furnished subsequently to this Authority for the purposes of search

2.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

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**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3.  Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

**Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**  

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

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**Box IV TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)**

The technical features mentioned in the abstract do not include a reference sign between parentheses (PCT Rule 8.1(d)).

**NEW ABSTRACT**

A magnetic mirror plasma (77) source comprises two surfaces separated by a gap wherein one of the surfaces is a wafer (76) and the other surface is a cathode. The apparatus comprises a cover (72), target (83), shunt (74, 81), non-magnetic stage (75), magnet array (80), bias supply (82), and power supply (70). A mirror magnetic field (12) extends between surfaces through the gap, wherein the magnetic field (78) lines at the substrate surface are at least two times as strong as those field lines entering the cathode. An anode is disposed such that a closed loop electron Hall current containment region is formed within the magnetic field, where with sufficient gas pressure and voltage between the cathode and anode, plasma is formed in the containment region. The result is a novel plasma source that has unique and important advantages enabling advancements in PECVD, etching, sputtering and plasma treatment processes.

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## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C23C 14/34, 16/00, 8/00; H01L 21/306; C23F 1/00  
 US CL : 204/192.12, 298.17, 298.2, 298.23; 118/723R; 156/345.1; 216/67; 427/585  
 According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
 U.S. : 204/192.12, 298.17, 298.2, 298.23; 118/723R; 156/345.1; 216/67; 427/585

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
 EAST

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X, P	US 2004/0155592 A1 (MADOCKS) 12 August 2004 (12.08.2004); see entire document	1-20
X, P	US 2004/0149574 A1 (MADOCKS) 05 August 2004 (05.08.2004), see entire document	1-20
X, P	US 2004/0135485 A1 (MADOCKS) 15 July 2004 (15.07.2004), see entire document	1-20
A, P	US 2004/0110388 A1 (YAN et al) 10 June 2004 (10.06.2004), [0029]	1-20
A, P	US 2004/0094402 A1 (GOPALRAJA et al) 20 May 2004 (20.05.2004), see entire document	1-20

Further documents are listed in the continuation of Box C.

See patent family annex.

### \* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "B" earlier application or patent published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&"

document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

**13 JAN 2005**

03 January 2005 (03.01.2005)

Authorized officer

Steven H VerSteeg

Name and mailing address of the ISA/US  
 Mail Stop PCT, Attn: ISA/US  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 Facsimile No. (703) 305-3230

Telephone No. (571) 272-1300

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
DALE F. REGELMAN  
LAW OFFICE OF DALE F. REGELMAN, P.C.  
4231 S. FREMONT AVENUE  
TUCSON, AZ 85714

# PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

2/13/05  
3/13/05  
4/13/05  
JL

Date of mailing (day/month/year)	<b>13 JAN 2005</b>
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**FOR FURTHER ACTION**

See paragraph 2 below

Applicant's or agent's file reference

APT 03.02PCT

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US04/29744	13 September 2004 (13.09.2004)	12 September 2003 (12.09.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): C23C 14/34, 16/00, 8/00; H01L 21/306; C23F 1/00 and US Cl.: 204/192.12, 298.17, 298.2, 298.23; 118/723R; 156/345.1; 216/67; 427/585

Applicant

APPLIED PROCESS TECHNOLOGIES, INC.

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

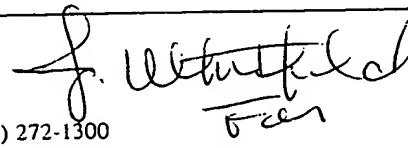
2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Steven H VerSteeg  Telephone No. (571) 272-1300
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

a sequence listing  
 table(s) related to the sequence listing

b. format of material

in written format  
 in computer readable form

c. time of filing/furnishing

contained in international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.

3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-20	YES
	Claims NONE	NO
Inventive step (IS)	Claims 1-20	YES
	Claims NONE	NO
Industrial applicability (IA)	Claims 1-20	YES
	Claims NONE	NO

2. Citations and explanations:

Claims 1-20 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a magnetically enhanced plasma source apparatus as claimed in claim 1 or a plasma source apparatus as claimed in claim 15 or a method of producing a plasma as claimed in claim 20.

US 2004/0110388 A1 to Yan et al. (Yan) discloses the magnetic field to decrease between the substrate and the plasma volume by about 75% [0029]. There is no indication that the magnetic field passes through both the target and the substrate. Also, there is no indication that the magnetic field would even exist at the electrode surface, let alone through it.

Claims 1-20 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

**WRITTEN OPINION OF THE  
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**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

The drawings are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or content thereof: items V<sub>1</sub> (Figure 1B), 39 (Figure 4), 42 (Figure 6), and 79 (Figure 2A) are shown in the figures, but not described in the specification. Also, there is reference to figure 2D on page 11 at line 9, but there is no figure 2D.

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

**When ?** Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

**How ?** Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

**The amendments must be made in the language in which the international application is to be published.**

#### What documents must/may accompany the amendments ?

##### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

**The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.**